S.B.Cr.Misc. Interim Bail App. No. 6054/2007
(Rameshwarlal @ Fauji Vs. State of Rajasthan)

Date of order : 11.12.2007

HON'BLE MR.H.R.PANWAR, J.

Mr. B.R.Godara for the petitioner.

Mr. Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the parties on the interim bail application under Section 439 Cr.P.C.

Learned counsel for the petitioner submits that the husband of sister of the petitioner's father has died on 27.11.2007 and the petitioner being the head of the family, his presence at the time of performing the last rites and rituals as per the Hindu Customs is necessary. Alternatively it is urged that the petitioner may be permitted to attend the ceremony in judicial custody.

During the course of arguments, it was contended that the petitioner is ready to deposit the charges and expenses incurred by Challani Guards estimated by the Jail Authorities at Central Jail, Bikaner.

The petitioner is facing trial for the offences under Sections 302, 307, 323, 324, 147, 148, 149 IPC and 25 & 27 of the Arms Act. Looking to the seriousness of the offence, the temporary bail is not acceptable, but looking to the cause,

permission is granted to petitioner Rameshwar Lal @ Fauji S/o Malukaram @ Maluram to attend the ceremony in judicial custody on 14.12.2007 subject to his depositing the charges estimated by the jail authorities at Central Jail, Bikaner.

Considering the cause, the petitioner is permitted to attend the last rites on 14.12.2007 in proper judicial custody subject to his depositing the charges and thereafter after completion of one day period i.e. 14.12.2007, the petitioner be again sent back to Central Jail, Bikaner.

With these directions, the application stands disposed of.

(H.R.PANWAR), J.

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